



General Assembly

**Substitute Bill No. 5120**

February Session, 2012

\* \_\_\_\_HB05120ENV\_\_032612\_\_\_\_ \*

**AN ACT CONCERNING HUNTING AND FISHING LICENSES,  
IMPROVING SAFE HUNTING EDUCATION, AMENDING DEFINITIONS  
FOR THE WILDLIFE DIVISION OF THE DEPARTMENT OF ENERGY  
AND ENVIRONMENTAL PROTECTION AND ESTABLISHING A TASK  
FORCE TO STUDY WHETHER TO TRANSFER THE CONSERVATION  
FUNCTIONS OF SAID DEPARTMENT TO THE DEPARTMENT OF  
AGRICULTURE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 26-27 of the 2012 supplement to  
2 the general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective January 1, 2013*):

4 (a) Except as provided in subsection (b), (c), (e), (f), (g) or (h) of this  
5 section and other provisions of this chapter providing specific license  
6 exemption, no person shall take, hunt or trap, or shall attempt to take,  
7 hunt or trap, or assist in taking, hunting or trapping, any wild bird or  
8 mammal and no person [more than] sixteen years of age or older shall  
9 take, attempt to take, or assist in taking any fish or bait species in the  
10 inland waters or marine district by any method or land marine fish  
11 and bait species in the state, regardless of where such marine fish or  
12 bait species are taken, without first having obtained a license as  
13 provided in this chapter. No person under sixteen years of age shall  
14 hunt or trap, except as provided in section 26-38.

15 Sec. 2. Section 26-28 of the general statutes is repealed and the

16 following is substituted in lieu thereof (*Effective January 1, 2013*):

17 (a) Except as provided in subsections (b), ~~and~~ (c) and (d) of this  
18 section, the fees for firearms hunting, archery hunting, trapping and  
19 sport fishing licenses or for the combination thereof shall be as follows:  
20 (1) Resident firearms hunting license, nineteen dollars; (2) resident  
21 fishing license, twenty-eight dollars; (3) resident marine waters fishing  
22 license, ten dollars; (4) one-day resident marine waters fishing license,  
23 five dollars; (5) resident all-waters fishing license, thirty-two dollars;  
24 (6) resident combination license to fish in inland waters and firearms  
25 hunt, thirty-eight dollars; (7) resident combination license to fish in  
26 marine waters and firearms hunt, twenty-five dollars; (8) resident  
27 combination license to fish in all waters and firearms hunt, [thirty-  
28 eight] forty dollars; (9) resident combination license to fish in all waters  
29 and bow and arrow permit to hunt deer and small game issued  
30 pursuant to section 26-86c, sixty-five dollars; (10) resident firearms  
31 super sport license to fish in all waters and firearms hunt, firearms  
32 private land shotgun or rifle deer permit issued pursuant to section 26-  
33 86a, and permit to hunt wild turkey during the spring season on  
34 private land issued pursuant to section 26-48a, [eighty] seventy dollars;  
35 (11) resident archery super sport license to fish in all waters, bow and  
36 arrow permit to hunt deer and small game issued pursuant to section  
37 26-86c and permit to hunt wild turkey during the spring season on  
38 private land issued pursuant to section 26-48a, eighty-two dollars; (12)  
39 resident firearms super sport license to fish in all waters and firearms  
40 hunt, firearms private land shotgun or rifle deer permit, muzzleloader  
41 private land deer permit, pursuant to section 26-86 and private land  
42 permit to hunt wild turkey during spring season pursuant to section  
43 26-48a, eighty-four dollars; (13) resident firearms super sport license to  
44 fish in all waters and firearms hunt, migratory bird conservation  
45 stamp, and migratory bird harvest permit (HIP), [sixty] fifty dollars;  
46 (14) resident trapping license, thirty-four dollars; (15) resident junior  
47 trapping license for persons under sixteen years of age, eleven dollars;  
48 (16) junior firearms hunting license, eleven dollars; (17) nonresident  
49 firearms hunting license, ninety-one dollars; (18) nonresident inland

50 waters fishing license, fifty-five dollars; (19) nonresident inland waters  
51 fishing license for a period of three consecutive days, twenty-two  
52 dollars; (20) nonresident marine waters fishing license, fifteen dollars;  
53 (21) nonresident marine waters fishing license for a period of three  
54 consecutive days, eight dollars; (22) nonresident all-waters fishing  
55 license, sixty-three dollars; (23) nonresident combination license to  
56 firearms hunt and inland waters fish, one hundred ten dollars; (24)  
57 nonresident combination license to fish in all waters and firearms hunt,  
58 one hundred twenty dollars; (25) nonresident combination license to  
59 fish in marine waters and firearms hunt, ninety-four dollars; and (26)  
60 nonresident trapping license, two hundred fifty dollars. Persons sixty-  
61 five years of age and over who have been residents of this state for not  
62 less than one year and who meet the requirements of subsection (b) of  
63 section 26-31 may be issued an annual license to firearms hunt or to  
64 fish or combination license to fish and firearms hunt or a license to trap  
65 without fee. The issuing agency shall indicate on a combination license  
66 the specific purpose for which such license is issued. The town clerk  
67 shall retain a recording fee of one dollar for each license issued by him  
68 or her.

69 (b) Any nonresident residing in one of the New England states or  
70 the state of New York may procure a license to hunt or to fish or to  
71 hunt and fish for the same fee or fees as a resident of this state if he or  
72 she is a resident of a state the laws of which allow the same privilege to  
73 residents of this state.

74 (c) The fee for a group fishing license, as described in subsection (h)  
75 of section 26-30, shall be two hundred fifty dollars.

76 (d) For the period beginning on January 1, 2013, and ending on  
77 December 31, 2013, the fee charged for any firearms hunting, archery  
78 hunting, trapping or sport fishing license that is issued to any  
79 Connecticut resident who is sixteen or seventeen years of age shall be  
80 equal to fifty per cent of the fee provided for such license in subsection  
81 (a) of this section rounded to the next highest dollar.

82     (e) In addition to the calendar day designated pursuant to  
83     subsection (f) of section 26-27, as amended by this act, the  
84     Commissioner of Energy and Environmental Protection may designate  
85     up to two additional days in each calendar year in which a one-day  
86     license for sport fishing may be issued free of charge. Such one-day  
87     license shall, at said commissioner's discretion, be made available to all  
88     members of the public or to all members of an age group designated  
89     by said commissioner.

90     Sec. 3. Subsection (a) of section 26-31 of the general statutes is  
91     repealed and the following is substituted in lieu thereof (*Effective*  
92     *January 1, 2013*):

93     (a) The Commissioner of Energy and Environmental Protection  
94     shall formulate conservation courses of instruction in safe trapping,  
95     hunting and archery practices and the handling and use of traps and  
96     hunting implements, including bow and arrow, for such persons as are  
97     applying for a license to hunt with firearms or to hunt with bow and  
98     arrow or trap for the first time and for minors who fall within the  
99     provisions of section 26-38, and shall designate one or more competent  
100    persons or organizations to give such instruction. Any person or  
101    organization so designated shall give such instruction to any person  
102    requesting the same and shall, upon the successful completion thereof,  
103    recommend to the commissioner issuance of a certificate of completion  
104    to such person. Successful completion of such instruction for hunting  
105    license applicants shall include, but not be limited to, achieving a  
106    passing grade on an examination formulated by the commissioner,  
107    which shall include correctly stating in writing, or reciting orally, the  
108    regulations for hunting in proximity to buildings occupied by persons  
109    or domestic animals or used for storage of flammable or combustible  
110    materials and the regulations for shooting towards persons, buildings  
111    or animals. [Any such person or organization may charge any person  
112    taking the course of instruction in trapping a reasonable fee,  
113    established by regulation adopted by the commissioner in accordance  
114    with chapter 54, to cover the cost of supplies, materials and equipment  
115    necessary for such course of instruction. No fee shall be charged for a

116 course of instruction in hunting or archery.] Such instruction shall  
117 include hands-on training, formulated by the commissioner, in the  
118 handling of firearms or archery equipment. Such training shall be  
119 offered at no cost to the license applicant. For any portion of the  
120 instruction that is not hands-on, the license applicant may choose to  
121 complete either a fee-based Internet program approved by the  
122 commissioner or free instruction offered by a competent person or  
123 organization authorized by the commissioner to provide such  
124 instruction.

125 Sec. 4. Section 26-1 of the general statutes is repealed and the  
126 following is substituted in lieu thereof (*Effective from passage*):

127 Words and terms used in this chapter shall be construed as follows:

128 (1) "Animal" includes birds, quadrupeds, reptiles and amphibians.

129 (2) "Bait species" means all species of fish, frogs, crustaceans and  
130 insects listed as bait in the regulations issued by the Commissioner of  
131 Energy and Environmental Protection.

132 (3) "Black bass" means [small mouth] smallmouth bass (*Micropterus*  
133 *dolomieu*) and [large mouth] largemouth bass (*Micropterus*  
134 *salmoides*).

135 (4) Repealed.

136 (5) "Closed season" means that period of time during which  
137 hunting, trapping or fishing is prohibited for any species of wildlife.

138 (6) "Commercial fisherman" means any person, firm or corporation  
139 engaged in commercial fishing.

140 (7) "Commercial fishing" means taking or attempting to take any  
141 finfish, crustacea, sea scallops, squid, horseshoe crabs or bait species  
142 for commercial purposes or by the use of any commercial fishing gear.

143 (8) "Commercial fishing gear" means any equipment commonly

144 used to take finfish, crustacea, sea scallops, squid, horseshoe crabs or  
145 bait species for commercial purposes including, but not limited to,  
146 lobster pots, otter trawls, beam trawls, balloon trawls, midwater  
147 trawls, sea scallop dredges, scoop nets, scap nets, seines, trap nets, fyke  
148 nets, crab traps, gill nets, trammel nets, set lines, long lines, hook and  
149 line if such fishing is conducted for commercial purposes, minnow  
150 seines, minnow traps, eel pots, fish pots, pound nets, throw nets or  
151 similar devices and any equipment listed as commercial fishing gear in  
152 regulations adopted by the Commissioner of Energy and  
153 Environmental Protection.

154 (9) "Commercial hatchery" means an institution or place where  
155 legally acquired fish are held, hatched and reared for sale or where fish  
156 so acquired or hatched are reared or held for sale in waters which are  
157 under complete control of the owner.

158 (10) "Daily bag, catch or creel limit" means the quantity or number  
159 of wildlife allowed to be taken during the period from 12:01 a.m. to  
160 12:00 midnight as provided by this chapter or by regulations made by  
161 the Commissioner of Energy and Environmental Protection.

162 (11) "Grouse" includes ruffed grouse, partridge and spruce grouse.

163 (12) "Hunting" means pursuing, shooting, killing and capturing any  
164 bird, quadruped or reptile and attempting to pursue, shoot, kill and  
165 capture any bird, quadruped or reptile, whether such act results in  
166 taking or not, including any act of assistance to any other person in  
167 taking or attempting to take any such animal.

168 [(13) "Quadruped" means any four-legged animal which is ferae  
169 naturae or wild by nature, although such animal may be enclosed and  
170 considered a pet or semidomesticated, but shall exclude purely  
171 domesticated animals.]

172 [(14)] (13) "Pickerel" means the chain pickerel (*Esox niger*), not the  
173 dwarf species referred to variously as the banded pickerel (*Esox*  
174 *americanus*), grass pike, grass pickerel, mud pike or brook pickerel.

175        [(15)] (14) "Private waters" means a natural or artificial pond or lake  
176 to which the owner, not a corporation, partnership or voluntary  
177 association, has exclusive right of access, of which water supply all  
178 sources are located substantially within the property of the owner, to  
179 which fish do not have access from waters not under the control of  
180 such owner or from water stocked at the expense of the state, except  
181 that a natural or artificial pond five acres or less in extent may be  
182 owned by an individual, a corporation, partnership or voluntary  
183 association and, when meeting the other requirements of this  
184 subsection, such pond may be registered as private waters.

185        (15) "Quadruped" means any four-legged animal which is ferae  
186 naturae or wild by nature, although such animal may be enclosed and  
187 considered a pet or semidomesticated, but shall exclude purely  
188 domesticated animals.

189        (16) "Seafood dealer" means (A) a person, firm or corporation, other  
190 than the ultimate consumer, who purchases, ships, consigns, transfers,  
191 transports, barter, accepts or packs lobsters, sea scallops, finfish,  
192 crabs, including horseshoe crabs, or squid directly from a commercial  
193 fisherman for resale, or (B) a commercial fisherman who sells, ships,  
194 consigns, transfers or barter his or her own catch of such species to  
195 anyone other than a seafood dealer.

196        (17) "Set line" means a line fastened between two points, to which is  
197 attached a number of smaller lines with hooks attached, but a single  
198 line not personally attended may constitute a set line.

199        (18) "Snare" means a device, often consisting of a noose, used to kill  
200 or injure animals by entanglement, strangulation or decapitation.

201        [(18)] (19) "Sport fishing" means taking or attempting to take any  
202 fish, crustacea, sea scallops, squid, horseshoe crabs or bait species  
203 whether from salt, brackish or fresh water by any method other than  
204 by commercial methods specified by law and regulations of the  
205 Commissioner of Energy and Environmental Protection for  
206 commercial purposes.

207 [(19)] (20) "Taking" means shooting, pursuing, hunting, fishing,  
208 killing, capturing, trapping, snaring, hooking and netting any species  
209 of wildlife and attempting to shoot, pursue, hunt, fish, kill, capture,  
210 trap, snare, hook, net or catch any species of wildlife or any act of  
211 assistance to any other person in taking or attempting to take such  
212 wildlife whether or not such act results in the capture of any such  
213 wildlife.

214 [(20)] (21) "Trapping" means pursuing, killing and capturing by use  
215 of any trap, snare, net or other device any bird or wild or domestic  
216 quadruped, excluding rats, mice, moles and reptiles, whether such act  
217 results in taking or not, including any act of assistance to any other  
218 person in taking or attempting to take any such animal by any such  
219 method.

220 [(21)] (22) "Trout and salmon" includes brook trout or speckled  
221 trout, brown trout, rainbow trout, lake trout, Atlantic salmon, kokanee  
222 or sockeye salmon, coho salmon, chinook salmon or any hybrid of any  
223 two or more of these species.

224 [(22)] (23) "Wildlife" means all species of invertebrates, fish,  
225 amphibians, reptiles, birds and mammals which are ferae naturae or  
226 wild by nature.

227 Sec. 5. (NEW) (*Effective October 1, 2012*) For the period beginning on  
228 January 1, 2013, and ending on December 31, 2013, the fee charged  
229 pursuant to section 26-27b, 26-48a, 26-86a or 26-86c of the general  
230 statutes for any firearms hunting, archery hunting, trapping or sport  
231 fishing permit, tag or stamp that is issued to any Connecticut resident  
232 who is less than eighteen years of age shall be fifty per cent of the fee  
233 provided under said sections rounded to the next highest dollar.

234 Sec. 6. (*Effective from passage*) (a) There is established a task force to  
235 study whether the functions, powers and duties of the Commissioner  
236 of Energy and Environmental Protection and the Department of  
237 Energy and Environmental Protection that are described in titles 23  
238 and 26 of the general statutes shall be transferred to the Commissioner



239 of Agriculture and the Department of Agriculture, respectively.

240 (b) The task force shall consist of the following members:

241 (1) Two appointed by the speaker of the House of Representatives;

242 (2) Two appointed by the president pro tempore of the Senate;

243 (3) One appointed by the majority leader of the House of  
244 Representatives;

245 (4) One appointed by the majority leader of the Senate;

246 (5) One appointed by the minority leader of the House of  
247 Representatives;

248 (6) One appointed by the minority leader of the Senate;

249 (7) The Commissioner of Energy and Environmental Protection, or  
250 the commissioner's designee;

251 (8) The Commissioner of Agriculture, or the commissioner's  
252 designee;

253 (9) The Secretary of the Office of Policy and Management, or the  
254 secretary's designee; and

255 (10) Two persons appointed by the Governor.

256 (c) Any member of the task force appointed under subdivision (1),  
257 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
258 of the General Assembly.

259 (d) All appointments to the task force shall be made not later than  
260 thirty days after the effective date of this section. Any vacancy shall be  
261 filled by the appointing authority.

262 (e) The Secretary of the Office of Policy and Management or the  
263 secretary's designee shall be the chairperson of the task force. Such  
264 chairperson shall schedule the first meeting of the task force, which

265 shall be held not later than sixty days after the effective date of this  
266 section.

267 (f) The administrative staff of the joint standing committees of the  
268 General Assembly having cognizance of matters relating to the  
269 Department of Energy and Environmental Protection and the  
270 Department of Agriculture shall serve as administrative staff of the  
271 task force.

272 (g) Not later than November 1, 2012, the task force shall submit a  
273 report on its findings and recommendations to the joint standing  
274 committees of the General Assembly having cognizance of matters  
275 relating to the Department of Energy and Environmental Protection  
276 and the Department of Agriculture, in accordance with the provisions  
277 of section 11-4a of the general statutes. The task force shall terminate  
278 on the date that it submits such report or November 1, 2012, whichever  
279 is later.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2013</i>	26-27(a)
Sec. 2	<i>January 1, 2013</i>	26-28
Sec. 3	<i>January 1, 2013</i>	26-31(a)
Sec. 4	<i>from passage</i>	26-1
Sec. 5	<i>October 1, 2012</i>	New section
Sec. 6	<i>from passage</i>	New section

**ENV**      *Joint Favorable Subst.*